

Compliance Assessment Report

Report ID:
CAR_NRW0034169

This form will report compliance with your permit as determined by an NRW officer

Site	S L Recycling Ltd	Permit Ref	ZB3593HH		
Operator/Permit holder	S L Recycling Limited				
Regime	Waste Operations				
Date of assessment	18/10/2018	Time in	11:00	Out	11:40
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by	Warwick-Brown, David				
Recipient's name/position	Stacey Lewis, Steve Morgan, Rebecca Tucker/ Director and TCMs	Date issued	05/11/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Officers Alex BOWDER and David WARWICK-BROWN attended SL Recycling Ltd, at 11:00 on Thursday 18th October 2018 to carry out a routine inspection of permit **EPR-ZB3593HH**. Met with business Director Mr. Stacey Lewis and TCM Mr. Steve Morgan who accompanied Officers around the yard and explained business processes. Weather conditions were mild and dry at the time of the visit.

PREVIOUS CAR FORM ACTIONS

It was discussed on the last inspection that the Fire Prevention and Mitigation Plan (FPMP) guidance states that the maximum storage height of stockpiles on site should not exceed four metres.

This height specification was determined by the Fire and Rescue Service to enable Fire Fighting equipment to extinguish the top of piles, if an incident were to occur. Please endeavour to comply with this specification, even though the turnaround time for the material is short.

SITE IN PONTYPOOL

The site has spoken about plans to operate a Waste Transfer Station in the Pontypool area at Pontyfelin Industrial Estate, New Inn, NP4 0DQ. If a permit is granted for this type of waste activity, this would mean a change in operations at the current Penallta yard. It was stated that the business would cease shredding scrap at the Penallta site and use the yard for mainly depositing and sorting material, before transporting to the new site for treatment.

As a result, machinery would be moved out of the site and more space would be readily available for sorting. This would require you to update your EMS to reflect the change in operations.

PRE-APPLICATION

Advice and guidance has been issued to the site regarding the history of the new estate. The site received a large influx of noise/odour complaints from the neighbouring residential area due to the proximity, which eventually led to the closure of the site. NRW have advised the business to contact the Local Authority to gain information on planning consent regarding these issues.

Unless the site can meet the drainage and infrastructure requirements of a Standard Rules permit (or if the site is within a boundary of a protected site/sensitive receptor), the application would be required to be

bespoke.

Please bear in mind if the site intends to shred over 75,000 tonnes of metal a year, then this would be classed as an installation and so a suitable permit would be required to match activities. Please see our website for further details:

<https://naturalresources.wales/permits-and-permissions/installations/information-about-installations/?lang=en>

USE OF WASTE EXEMPTIONS

The site has registered the following exemptions to the Pontypool site:

T6 - Treatment of waste wood and waste plant matter by chipping, shredding, cutting or pulverising.
T9 - Recovery of scrap Metal
S3 - Storage of Sludge
T4 - Preparatory treatments (baling, sorting, shredding etc)
T10 - Sorting mixed waste
T8 - Mechanical treatment of end-of-life tyres
T5 - Screening and Blending of Waste
S2 - Storage of Waste in a Secure Place

T9 RECOVERING SCRAP METAL - This exemption allows you to treat scrap metal by sorting, grading, shearing by manual feed, baling, crushing or cutting it with hand-held equipment to make it easier to handle and to help recover it.

Because exemptions are low risk activities, industrial-scale shredding is deemed a permitted activity. Therefore, you **would not** be able to shred metal materials using a machine until the appropriate permit is in place. NRW also made the point that ELVs cannot be accepted under this exemption. As a reminder:

Types of activity you can carry out:

- crushing and baling aluminium cans
- crushing ferrous (containing iron) metal such as steel shearing copper pipes by manual feed to make storage easier

Types of activity you can't carry out:

- You can't receive, store or treat any end-of-life vehicles or components of end-of-life vehicles such as engine blocks, batteries or catalytic converters
- treat hazardous waste
- burn any waste

GENERAL OBSERVATIONS

No issues with infrastructure and drainage system at the time of the inspection - no amenity issues with noise or odour noted.

The depollution area seemed in order with separated tanks for the various hazardous liquids, such as oil and diesel. Tyres were stored away from the treatment area. Any removed vehicle batteries were stored in a sealed container as required by the permit.

The site diary was being filled out daily with TCM attendance.

WASTE RETURN DOCUMENTS

The annual submission of your Waste Returns spreadsheet will be due in **January 2019**. Please endeavour to submit the document within the one-month grace period.

HAZARDOUS WASTE RETURNS

Hazardous waste consignee returns are required to be completed to inform us about the hazardous waste consignments that have been received, removed or disposed. They are a compulsory requirement of the Hazardous Waste Regulations 2005.

You must send us a consignee return reporting what hazardous waste has been received or disposed of at your premises or place where it is produced, every quarter.

More information can be located on our website:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/hazardous-waste-returns-1/?lang=en>

You must provide a return reporting your activities for each three-month period (quarter), within one month of the end of that quarter:

QUARTERLY RETURN PERIOD	RETURN SUBMISSION DEADLINE
Q1 01 January - 31 March	30 April
Q2 01 April - 30 June	31 July
Q3 01 July - 30 September	31 October
Q4 01 October - 31 December	31 January

If you have any issues with this report, please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

In this document ‘Natural Resources Wales’ means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

In addressing the points raised above it should not be relied upon to mean that the measures are considered to represent appropriate measures covering every eventuality through operation of the permit. **Your FPMP should be kept under constant review to ensure measures remain effective. You must also ensure that the plan is fully implemented on site at all times. The plan should be revised where necessary in accordance with Section 24 - Reviewing and Monitoring your Fire Prevention & Mitigation Plan of the guidance.**

In a future compliance assessment visit, we will undertake an assessment of your compliance with your FPMP.

EPR Compliance Assessment Report

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.